

Charter Review Committee
Article VII Tracking Chart
 October 8, 2015

Numbers for sections/points considered at the October 8, 2015, CRC meeting are in **Bold**.

Sec	Original Proposal	Motion Approved	Current Proposal
IBA Pt. 1	<i>Five-Year Financial Outlook</i> 1. Require the Mayor issue an updated Outlook annually. 2. Include timing of the release (e.g. no later than November of each year.) 3. Major components that should be addressed by the Mayor in the Outlook.	Request the Committee Consultant, Independent Budget Analyst and Mayor's staff return with recommended language for the items in Point #1, and a recommendation as to whether the items should be placed in the Charter, Municipal Code or a Council Policy. 4-16-15	See section 69
IBA Pt 2	<i>General Reserve Funds</i> Considered as part of ITEM-3: P) § 91	Considered as part of § 91 4-16-15	See section 91
IBA Pt 3	<i>City Council Budget Priorities Resolution</i> Include a reference to the Council's Budget Priorities Resolution process and timing.	Request the Committee Consultant, Director of Legislative Affairs, Independent Budget Analyst, and Mayor's staff return with recommended Municipal Code language for the item in Point #3. 4-16-15	See section 69
IBA Pt 4	<i>Mid-Year Council Budget Amendment Authority</i> 1. Include the Council's Mid-Year Budget Amendment Authority in the Charter. 2. Give the Council the sole authority to initiate Mid-Year Revisions.	Request the Independent Budget Analyst and relevant City staff return with an analysis of the pros and cons of including the items in Point #4 in the Charter as opposed to the Municipal Code. 4-16-15	See section 72

IBA Pt 5	<i>Capital Project Planning and Program Development</i> 1. The Multi-Year Capital Plan. 2. State of the CIP semi-annual reports. 3. Elements of the Council Policy on CIP Transparency. 4. Elements of the Council Policy on CIP Neighborhood Input on Infrastructure.	Request the Independent Budget Analyst and relevant City staff return with recommended Municipal Code language for the items in Point #5. 4-16-15	See section 71
IBA Pt 6	<i>Budgetary Cooperation and Communication Between the Executive and Legislative Branches</i>	Considered as part of § 69 4-16-15	See section 69
IBA Pt 7	<i>Reporting Performance Results</i> Incorporate a requirement for the Mayor to provide performance reports to the Council and public.	Request the Independent Budget Analyst, Mayor's Office and relevant City staff return with recommended "high level" Charter language for the item in Point #7. 4-16-15	Consideration of a recommendation to leave the matter of performance reports in the budget policy rather than Charter.
IBA Pt 8	<i>Appropriations Ordinance</i>	Considered as part of § 71 4-16-15	See section 71
IBA Pt 9	<i>Key Budget Dates, Call for Budget Hearings, and Mid-Year Budget Monitoring</i> 1. The Mayor's annual release of the Multi-Year Capital Plan and the Five-Year Outlook. 2. City Council's annual adoption of the Budget Priorities Resolution. 3. Annual departmental/agency budget hearings to Be held by the Budget Review Committee. 4. Requirement and timing for the Mayor's May Revise.	Request City staff review current Charter language and return with streamlined language. 4-16-15	Consideration of a recommendation to leave two remaining sub-points of Point #9 (noted below) not addressed in other Charter sections in the legislative calendar, Council policies and other documents: 3) Annual departmental/agency budget hearings to be held by the Budget Review Committee; and 4) Requirement and timing for the Mayor's May Revise.
68			Consideration of language changing the name of the section to "Fiscal Year," and defining the City's fiscal year as July 1 to June 30.

<p>69 Pt 1</p>	<p><i>Fiscal Year and Manager's Estimate</i> Move the section to Art. XV (<i>City Attorney</i>)</p>	<p>Support the recommended rewrite of section 69, but leave it in article VII. 4-16-15</p>	<p>Consideration of changing the name of the section to "Annual Budget," and revising the language in the sub-sections as noted below:</p> <ul style="list-style-type: none"> (a) Requiring the Mayor to annually prepare a multi-year financial outlook. (b) Describing the process for and timing of the City Council's budget priorities resolution. (c) Requiring the Mayor to propose an annual budget by April 15. (d) Requiring the Council to hold a public hearing on the proposed budget. (e) Requiring the timely disclosure of any necessary revisions to the proposed budget. (f) Requiring that any proposed or approved budget must remain balanced. (g) Setting five business days for the Mayor to respond to the Council's approved budget. (h) Limiting the spending in a veto override to proposals previously considered in the budget discussion, and to an amount not greater than that already approved; and requiring a two-thirds vote of the Council to override a Mayoral veto. (i) Setting five business days for the Council to respond to a Mayoral veto, and outlining the consequences of responding or not responding. (j) Requiring and defining the publication of the proposed and adopted budgets. (k) Setting a deadline of June 30 for the Council to approve an appropriations ordinance, and outlining the authority of the ordinance and the consequences if the Council fails to approve one. (l) Clarifying that the appropriations ordinance is not subject to a Mayoral veto. (m) Complying the annual appropriations ordinance with the California Constitution.
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Pt 2	Print a reasonable number of copies of the budget and distribute 15 days before final passage, distributing particularly to the newspapers and all public libraries. <i>(Mayor's Office)</i>	Approve the Mayor's recommendation. 4-16-15	See the discussion above
Pt 3	Amend the section to set April 15 as the date for the release of the annual budget, change "Manager" to "Mayor" throughout the section, enable the Mayor to set a schedule as well as the form of the departmental annual budget estimate submittals, and specify that the Mayor instead of the Council shall provide for public access to the budget document through digital or hard copy formats and the City's website. <i>(Chief Financial Officer)</i>	Request the Mayor and relevant City staff return with shorter, plain language incorporating the Chief Financial Officer's recommendations. 4-16-15	See the discussion above
Pt 4	Amend the Charter to enable the City Council to make mid-year budget adjustments based on a set of established criteria. <i>(Independent Budget Analyst)</i>	By consent, incorporated in the earlier action on section 69 point #4, Mid-Year Council Budget Amendment Authority. 4-16-15	See the discussion above
70 Pt 1	<i>Power to Fix Salaries</i> Delete the limiting language and conform to section 290 and the Meyers-Milias-Brown Act. <i>(City Attorney)</i>	Approve the City Attorney's recommendation, and request the Mayor and relevant City staff return with language incorporating section 290 into section 70. 4-16-15	Will be considered 11-4-15
Pt 2	Clarify the departments for which the City Council sets the salaries. <i>(Chief Financial Officer)</i>	Request the Chief Financial Officer and relevant City staff return with language for section 70 incorporating the recommended clarification. 4-16-15	Will be considered 11-4-15
71 Pt 1	<i>Preparation and Passage of Annual Appropriations Ordinance</i> Combine the Council votes on the annual budget and appropriation ordinance into one approval action. <i>(City Attorney, Chief Financial Officer, Independent Budget Analyst)</i>	Request the Chief Financial Officer, Independent Budget Analyst and City Attorney study the proposal further with the Committee's discussion in mind, and return with suggested language. 4-16-15	Consideration of using this section number for a new section called "Multi-Year Capital Plan", incorporating sections 290 and 71A into this new section 71 and describing the multi-year capital plan and its funding.
Pt 2	Incorporate section 71 with section 290 or a nearby section. <i>(City Attorney)</i>	Place section 71 in the Charter article addressing financial issues rather than in section 290. 4-16-15	See the recommendation above.

Pt 3	Specify that the Mayor instead of the Council will prepare the annual appropriation ordinance for Council approval. <i>(Chief Financial Officer)</i>	Request the Chief Financial Officer, Independent Budget Analyst and City Attorney study the proposal further with the Committee's discussion in mind, and return with suggested language. 4-16-15	See the recommendation above.
71A	<i>Re-appropriations at Beginning of Fiscal Year for Salaries and Maintenance Support</i> Incorporate the section with other appropriation provisions. <i>(City Attorney)</i>	Repeal section 71A and roll the language into section 71. 4-16-15	REPEAL
72 Pt 1	<i>Appropriations Accounts</i> Remove the requirement that a department notify the Chief Financial Officer by letter when a project is completed. <i>(Chief Financial Officer)</i>	Approve the Chief Financial Officer's recommendation. 4-16-15	1. Consideration of a recommendation to repeal the current section. 2. Consideration of language renaming the section "Mid-year Amendment to Annual Budget, and giving the City Council sole authority to set the terms and conditions under-which the Mayor must propose mid-year amendments to the annual budget."
Pt 2	Restore unexpended restricted funds to the fund from which they were appropriated instead of transferring them to the general fund. <i>(Chief Financial Officer)</i>	Approve the Chief Financial Officer's recommendation. 4-16-15	See the recommendation above.
75	<i>Annual Tax Levy</i> Simplify the section to state that any legally authorized taxes shall be levied not later than July of each fiscal year and transmitted to the tax collector. <i>(City Attorney, Chief Financial Officer)</i>	Approve the City Attorney's recommendation. 4-16-15	Consideration of recommended language clarifying the time that any legally authorized taxes can be levied each fiscal year and transmitted to the tax collector.

76	<i>Limit of Tax Levy</i>	Accept the City Attorney's option to repeal the provision. 2-5-15	REPEAL
76.1	<i>Special Taxes</i>	Accept the City Attorney's option to repeal the provision. 2-5-15	REPEAL
77 Pt 1	<i>Capital Outlay Fund</i> Revise the section to clarify the intended scope of real property interests intended to be affected. (<i>City Attorney, Chief Financial, Mel Shapiro</i>)	Request the Chief Financial Officer and City Attorney return with shorter, plain language, clarifying the scope of real property interests referenced in the section. 4-16-15	Consideration of recommended language clarifying the scope of real property interests.
Pt 2	Amend the section to include debt service to acquire and construct public improvements as an appropriate use of the fund, and remove the reference to the Harbor Department in the last paragraph. (<i>Chief Financial Officer</i>)	Approve the Chief Financial Officer's recommendation. 4-16-15	See the recommendation above.
77A	<i>Provisions for Zoological Exhibits</i> Expand the use of the Zoo tax to include capital maintenance and capital improvements in Balboa Park as appropriated annually by City Council. (<i>Independent Budget Analyst</i>)	Request the City Attorney clarify the meaning of zoological exhibits and gardens in the section, and refer the discussion to the Environment Committee to see if it recommends any changes before considering the section further. 4-16-15	Waiting for Environment Committee recommendation.
77B	<i>Public Transportation</i>	Accept the City Attorney's option to repeal the provision. 2-5-15	REPEAL
78	<i>Assessment and Collection of Taxes</i> Retain only the first sentence of the section, and add "or the City of San Diego" to the end of that sentence. (<i>Mayor's Office</i>)	Accept the Mayor's recommendation. 5-14-15	Consideration of a recommendation to remove the section.

80 Pt1	<i>Money Required to be in Treasury</i> Amend the section to clarify that the requirement to certify funds is based on the actual or anticipated receipt of moneys before the maturity of the obligation. (<i>Chief Financial Officer</i>)	Accept the Chief Financial Officer's recommendation, and request that the Chief Financial Officer and City Attorney return with a shorter, plain-talk language draft of the section. 5-14-15	Consideration of recommended language clarifying when money can be spent.
Pt 2	Amend the section to allow contracts and expenditures to be made on phases of projects and transferred to other priority projects to the extent that money is in the Treasury. (<i>Councilmember Cate</i>)	5-14-15	See the recommendation above.
81	<i>Allotments</i> Remove the section, because it is obsolete. (<i>Chief Financial Officer</i>)	Accept the Chief Financial Officer's recommendation to remove the section. 5-14-15	REMOVE
82 Pt 1	<i>Examination and Investigation of Claims by the Auditor and Comptroller</i> Amend the section to permit electronic funds transfer (ACH), wire or other forms of payment.	Accept the Chief Financial Officer's recommendation to combine sections 82 and 83 if the City Attorney determines that is legally possible, and return with shorter, plain-talk draft language. 5-14-15	Consideration of recommended language combining sections 82 and 83.
Pt 2	Move the section to the municipal code as a Comptroller's role and responsibility.	No action was taken on this sub-item. 5-14-15	N/A
83	<i>Payment of Claims Against the City</i> Amend the section to permit electronic funds transfer (ACH), wire or other forms of payment; replace the references to warrants and check warrants with payments and replace the reference to vouchers with approval.	Action on this section was included in the action taken on section 82 above. 5-14-15	See action on section 82 above.
84	<i>Money to be Drawn from Treasury in Accordance with Appropriation</i> This provision could be simplified to reflect City's current practice, which also conforms with existing requirements.	Refer the City Attorney's option to the Chief Financial Officer, Financial Management and Comptroller; to return with recommendation(s). 2-5-15	Will be considered 11-4-15

85	<i>Daily Deposits of Money</i>	Not heard	N/A
86	<i>Disposition of Public Moneys</i> (1) Amend Charter section 86 to eliminate the one year period for unclaimed City funds to escheat to the City's General Fund; or (2) Maintain the existing language regarding the one year holding period, but amend Charter section 86 to include an appropriate notice provision before such funds escheat to the City's General Fund.	Refer the City Attorney's options to the Comptroller and Treasurer regarding option 1 and Comptroller and City Attorney regarding option 2; to return with recommendations consistent with state practices. 2-5-15	Consideration of recommendations regarding eliminating the one year period to claim funds from the City, or retain the one year period and amend the section to include an appropriate notice provision.
87	<i>Uniform Accounts and Reports</i>	Not heard	N/A
88	<i>Monthly Reports of Officers</i>	Not heard	N/A
89	<i>Monthly Statements by the Auditor and Comptroller</i>	Not heard	N/A
90(a)	<i>Contracting Bond Indebtedness</i> Set the voter approval requirement in accordance with State law instead of an automatic two-thirds majority. (<i>Independent Budget Analyst</i>)	to accept the Independent Budget Analyst's recommendation, and request the City Attorney return with language removing the second sentence and conforming the section to state law to the fullest extent possible. 5-14-15	Consideration of language renaming the section "General Obligation Bonds," removing the second sentence and conforming the section to state law.
90.1	<i>Waterworks</i>	Refer the City Attorney's option to Debt Management, Public Utilities and City Attorney; to review to make sure necessary provisions are not deleted, and if not, return with a recommendation to repeal the Charter sections. 2-5-15	Consideration of recommended language renaming the section "Revenue Bonds," defining and authorizing the issuance and sale of such bonds.
90.2	<i>Sewer</i>	See section 90.1 above. 2-5-15	See action in section 90.1 above

90.3	<i>Voter Approval for Major Public Projects Conferring Significant Private Benefit</i> Define the terms, “major public project” and “other public infrastructure.” (<i>Chief Financial Officer</i>)	Request the City Attorney and Financial Management return with succinct draft language; a definition of the terms “significant private benefit,” “major public project,” and “other public infrastructure;” and any available legislative history and intent for the section. 5-14-15	Will be considered 11-4-15
91 Pt 1	<i>General Reserve Fund</i> Clarify the section to reflect the City’s current reserve structure. (<i>Independent Budget Analyst</i>)	See the action taken on sub-item three below. 5-14-15	See the recommendation under sub-item 3 below.
Pt 2	Revert to pre-1962 language or be revised to more clearly state the purpose of maintaining sufficient cash on hand to meet all demands against the treasury until receipt of property taxes; and change the section title to avoid confusion with other reserve funds. (<i>City Attorney</i>)	See the action taken on sub-item three below. 5-14-15	See the recommendation under sub-item 3 below.
Pt 3	Add a section requiring a “Stability Reserve,” including the conditions under which monies will be allocated to such a fund. (<i>Councilmember Cate</i>)	Request the Independent Budget Analyst, Financial Management, City Attorney and Councilmember Cate return with succinct, broad language; incorporating the suggestions in sub-items 1), 2) and 3). 5-14-15	Consideration of recommendation language renaming the section “General Fund to Operate on Cash Basis,” and defining that requirement.
94 – 99	<i>Contracts</i>	Referred to the City Attorney, IBA, Purchasing & Contracting, Auditor, IT and Open Data for study and recommendation. 2-5-15	Will be considered 12-16-15
103.1..a Pt 1	Streamline the section to reflect current practices and allow more flexibility in the use of the funds. (<i>Independent Budget Analyst</i>)	Motion by Councilmember Cate to remove the section from the Charter. Motion failed for lack of second. Motion by Councilmember Cate to refer the section and municipal code sections regarding the Environmental Growth Fund to the Environment Committee to return with a recommendation regarding the fund going forward. 5-14-15	<i>Waiting for Environment Committee recommendation.</i>
Pt 2	Remove the section or adjust the funding level.	See the action take on sub-item 1) above. 5-14-15	N/A

108	<i>Forfeiture of Office for Fraud</i>	Not heard yet.	TBD
110	<i>Claims Against the City</i> Provide that claims against the City shall be submitted in accordance with state law. <i>(Mayor's Office, City Attorney)</i>	Approve the City Attorney's recommendation. 4-16-15	N/A
111	<i>Audit of Accounts and Officers</i> Conform the requirements of the section to current practices, or conform what is practiced to what is currently written. <i>(Chief Financial Officer)</i>	Request the City Auditor, Mayor and relevant city staff return with recommended language. 4-16-15	Consideration of a recommendation to leave this section as it is currently written.
112 Pt 1	<i>Appraisal of City Assets</i> Add Real Estate Assets Department to the section. <i>(Mayor's Office)</i>	No action taken. See the action taken on sub-item 2) below. 4-16-15	REPEAL
Pt 2	Remove the requirement that a proper balance sheet under classified heads be included in the annual budget and published in the annual report of the Auditor and Comptroller. Accounting of capital assets reported in the Comprehensive Annual Financial Report makes this requirement unnecessary. <i>(Chief Financial Officer)</i>	Repeal section 112. 4-16-15	REPEAL
113	<i>Official Advertising</i>	Refer the City Attorney's options to the City Attorney, City Clerk and Purchasing & Contracting Department for further study in conjunction with Section 18; to return with recommendations. 2-5-15	Will be considered 12-16-15
114	<i>Bureau of Information and Publicity</i>	Repeal Section 114. 2-5-15	REPEAL